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DEPARTMENT FOR G/TIP, G, INL, DRL, PRM, AND AF/C

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SUBJECT: RWANDA TIP DRAFT

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[1](#)B. 06 KIGALI 464  
[1](#)C. 06 KIGALI 199

This is sensitive but unclassified. Paragraphs are keyed to reftel.

#### Overview

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27.A. Rwanda is a source country for children internally trafficked for the purpose of sexual exploitation. Small numbers of impoverished Rwandan children, typically between the ages of 14 and 18, engage in prostitution as a means of survival and are exploited by loosely organized prostitution networks. Girls who head households and girls who work as domestic laborers are most at risk of sexual exploitation. The most recent government data (the General Population and Housing Census) indicated 170,000 children in domestic service and 2,000 in prostitution.

-B. By the UN and Trafficking Victims Protection Reauthorization Acts definition, the only trafficking problem in Rwanda is children engaged in prostitution. The government has made progress in its efforts to combat TIP, however, there are a lack of statistics to quantify the actions the government is taking to address the problem. This is due to inefficient administration in the Ministries charged with TIP related action, a relatively inexperienced bureaucracy that does not systematically record and track data and the belief at all levels of GOR leadership that trafficking is not a significant problem in the country. (Note. GOR officials are forthright in acknowledging the underage prostitution problem, however, they do not equate child prostitution with trafficking. End note.)

-C. Rwanda is a small, densely populated country with a strong central government and effective military, intelligence and security services and the GOR plays a large role in the everyday life of all Rwandans. There were seven primary land border crossings and two international airports, and all were effectively staffed by officials from the immigration service- a component of the National Security Service- and coordinated closely with the military and national police. There is a heavy police presence on the national road network, including a high number of police checkpoints that monitor traffic and check vehicles to enforce safety regulations.

At primary road checkpoints and international ports of entry, government officials question adult males traveling with children and no adult female. If the man does not possess an official document, signed by the mother or legal female

custodian, he will be held while the authorities contact the mother (or custodian) to confirm there is no problem. This standing procedure is possible due to the effectiveness of the security forces and internal intelligence network.

The GOR does not have a specific law addressing trafficking, however, it uses kidnapping, forced prostitution and child protection laws to address trafficking crimes.

-D. The government does not systematically monitor its anti-trafficking efforts (please see 27.B).

#### Prevention

28.A. The government acknowledges and takes action, within the limits of its capacity, to address child prostitution. However, government officials do not use the USG definition characterizing all child prostitutes as trafficking victims. There is no evidence of government involvement in or tolerance of trafficking on a local or institutional level.

-B. The Rwandan National Police (RNP) is the lead agency in enforcing child prostitution laws. The Ministries of Labor, Education, Gender and Local Government all have roles in assisting children involved in child prostitution.

-C. The Ministry of Gender and Family Support (MIGEPROF), the GOR's lead agency for assisting prostitutes and child laborers, has developed public information campaigns with UNICEF and USAID sensitizing potential victims (underage prostitutes) on health care, promoting women's rights and education on sexual and gender-based violence.

-D,E. The GOR has a strong commitment to promoting women's participation in economic decision making, evidenced by the high proportion of women parliamentarians and Cabinet Ministers, the Constitution requires a minimum of thirty percent of parliamentarians to be women. The government works with several international and local NGOs to provide health services, temporary housing and vocational training.

UNDP, UNICEF, and USAID are involved in working with trafficking victims through the improvement of health care to women and children, empowerment of women, and promotion and protection of rights. Sexual and gender-based violence (SGBV) continues to be a major concern in Rwanda. USAID has responded to this through a series of programs, mostly directed at females, which both raise awareness and promote opportunities. USAID continues to support a project on Reproductive Health and HIV/AIDS for Adolescent Girls, with the objective of empowering young girls to cope with sexual and gender based violence.

Rwanda is a new participant in the USAID Women's Legal Rights Initiative which will develop a course on gender and domestic relations for the new Institute of Legal Practice and Development (a national legal training center), print a women's rights training manual, assist with the development of ProFemmes, an umbrella organization for women's NGOs, and will hold awareness raising events related to women's rights. The program works closely with other donors.

The USAID supported Women Investment Fund is a micro-finance program for women that promotes peace, unity and reconciliation by reinforcing the economic capacity of women in order to improve the socio-economic conditions of the family.

USG PEPFAR provides support to orphans and vulnerable children. Given that economic survival is the overwhelming cause of prostitution, programs that reduce poverty are fundamental. Orphans and vulnerable children live on the economic margins of life in Rwanda and are among the highest risk groups for prostitution.

USAID is funding a program through an NGO to reduce gender-based violence (GBV). IntraHealth/Twubakane has a two-pronged approach to addressing GBV, including: supporting

empowerment activities focused on women and girls, and services that support women who are victims of battery and sexual assault and in need of support for family planning/reproductive health decision-making, and increasing male involvement and support for improved reproductive health.

UNICEF and its partners are helping Rwandan children, especially in the areas of health, counseling and education, income-generating activities and vocational training preventing the spread of HIV/AIDS through education and counseling; providing immunization; and providing support for the regular school system and assisting children outside of the regular school system.

-F. The relevant government agencies are effective at monitoring immigration and emigration patterns along borders.

The National Police maintain security checkpoints on all major roads throughout the country to monitor traffic flow and to conduct regular inspections of vehicles for safety, cargo and documentation. Police officers are trained to observe drivers and passengers and to investigate any suspected irregularities, including any possible indications of trafficking.

-G. The government has an ombudsman office, an auditor general office and the RNP has an internal department for corruption investigations of police officers.

-H. The government does not have a national plan of action specifically addressing trafficking in persons, however, it has developed a national plan of action to address the problem of child labor. MIFOTRA is the lead agency on the long term plan of action on worst forms of child labor. (please see 30.C.).

#### Investigation and Prosecution of Traffickers

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29.A. The government does not have a law specifically prohibiting trafficking in persons; however, it has laws against slavery, forced prostitution, kidnapping, and anti-child labor under which traffickers can be prosecuted. The Constitution places heavy emphasis on children. The Rwandan laws relevant to trafficking:

-- Article 28 of the Constitution guarantees every child special measures of protection by his/her family, society and the State.

-- Article 38 of the Constitution provides for free primary education for all children.

-- Law No. 27/2001 (April 28, 2001) includes provisions for the protection of the child against violence. Article 4 states that the minimum age for recruitment into the army is 18; and forced marriage, involvement of children in prostitution, drug trafficking and slavery are crimes punishable by law.

-- Law No. 51/2001 establishing the Labor Code states that the child shall not be employed for night tasks that are unhealthy or dangerous. Articles 192 and 194 of the labor code provide for penalties against those who violate said provisions.

-- Law No. 13 (July 1, 2002) governs the armed forces and Law No. 16 (August 15, 2002) establishes the minimum age for enrollment in the army.

--B,C. The government uses slavery, forced prostitution, kidnapping and anti-child labor laws to punish individuals convicted of trafficking for sexual exploitation. Punitive measures include imprisonment of three months to one year and a fine for repeat offenders; imprisonment of three months to five years for those who entice others into prostitution; imprisonment of six months to six years and a fine for those who procure prostitutes; and imprisonment of one to five years for those who financially benefit from the proceeds.

--D. Gender based violence is a problem in Rwanda. The penalty for rape ranges from a minimum of 15 years imprisonment to a maximum of a death sentence if the rape results in the severe chronic disease or death of the victim. (Note. The cabinet repealed the death sentence in late

December 2006. End note.)

--E. Prostitution is illegal, the penalty for prostitution ranges from the preventative to the punitive. Measures to prevent the continuation of prostitution include restraining orders to contain them at home and probation to closely monitor their activities. Punitive measures include imprisonment of three months to one year and a fine for repeat offenders; imprisonment of three months to five years for those who entice others into prostitution; imprisonment of six months to six years and a fine for those who procure prostitutes; and imprisonment of one to five years for those who financially benefit from the proceeds. However, the government has focused on the rehabilitation of prostitutes rather than prosecution, as the problem is primarily one of economic necessity for the women rather than a problem of criminal intent and disregard for the rule of law. The GOR does not regularly arrest prostitutes to avoid adding to an already over-burdened court system, instead, police typically detain prostitutes over night and release them the following day.

--F. The government did not prosecute any trafficking cases during the year, however, .

--G. There is no indication of any involvement of small criminal groups or larger international crime syndicates; employment, travel, or tourism agencies; or marriage brokers fronting for traffickers or crime groups to traffic individuals. There is no evidence that government officials are involved in any aspect of prostitution, including underage prostitution.

--H, I. The relevant government agencies are effective at monitoring the borders (please see 27.C.). The National Police maintain security checkpoints on all major roads throughout the country to monitor traffic flow and to conduct regular inspections of vehicles for safety, cargo and documentation. Police officers are trained to observe drivers and passengers and to investigate any suspected irregularities, including any possible indications of trafficking.

--J, K. Rwanda has extradition treaties with most neighbors and holds an active membership in the International Criminal Police Organization (Interpol). Rwandan law enforcement officials reported no requests for other countries to report on trafficking-related issues but would do so if it received a request. The GOR coordinates well with other governments in the region- with the exception of the GDRC- but did not have specific data on underage prostitution cases.

--L-N. There is no evidence that government officials are involved in any aspect of underage prostitution or tolerance of any other forms of trafficking.

--O. The government has ratified ILO Conventions 138 and 182. Rwanda has signed United Nations Convention on the Rights of the Child, the African Charter on the Rights and the Welfare of the Child, and acceded to the Optional Protocols on the Involvement of Children in Armed Conflict and on Child Trafficking, Child Prostitution and Child Pornography. Rwanda is also signatory to the UNESCO World Declaration on Education for All, the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Resolution 48/96 on Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

#### Protection and Assistance to Victims

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30.A-C. The Ministry of Education (MINEDUC) works with the Ministry of Labor (MIFOTRA) in matters of child labor. MINEDUC runs catch-up education centers that educate children under eighteen who had missed all or part of their primary education due to working. The Ministry of Local Administration and Social Affairs (MINALOC) oversees local government committees that address education and other child welfare issues. The Ministry of Gender and Family Protection

(MIGEPROF) is the lead agency for child protection and the implementation of the Orphans and other vulnerable children (OVC) policies.

The strategic plan for Rwanda, &Rwanda Vision 20208, sets benchmarks for the country,s development polices including committing the country to providing free primary education, and reducing drop-out rates, especially among girls. The Rwandan Poverty Reduction Strategy Paper (PRSP), the macro-level policy guidance that serves as the framework for the implementation of development plans, identifies OVC as a segment of the Rwandan population requiring special assistance.

The government has a National OVC Policy with the main objective &to protect the rights of the child and to ensure the physical and psychosocial long-term development of orphans and other vulnerable children.<sup>8</sup> Specific objectives include: assuring access to health services, assuring access to free primary education, and enhance the coordination of all programs and interventions concerning orphans and other vulnerable children to ensure systematic monitoring and evaluation. The National Human Rights Commission has a child rights unit.

A National Plan of Action on Child Labor was drafted by MIFOTRA with extensive input from UNICEF, MIGEPROF, and MINEDUC is currently in cabinet. The plan identifies prostitution and domestic workers as two of the forms of child labor to be addressed. It includes sensitization campaigns and strengthening relevant laws that address these issues.

-D. No prostitutes have been prosecuted in the last twelve months.

-F,I. The government worked closely with United Nations International Children,s Education Fund (UNICEF) to formulate national policy regarding the objective of universal quality primary education and has formed a national committee (Education for All) to address the issue of girls, education. Other international and national NGOs involved with the government in the direct or indirect combating of underage prostitution include World Vision, Save the Children, Sharing Rwanda, Sisters of Rwanda, Hagauruka, ADOA and Umurimo.

-H. The number of repatriated trafficking victims does not meet the minimum threshold for it to be recognized as an issue. (Note. In 2005 post included The National Demobilization and Reintegration Commission (RDRC) as it assists Rwandan combatants in eastern DRC, some of who are child soldiers recruited by the Democratic Forces to Liberate Rwanda (FDLR). However, post has re-evaluated its position and does not now consider Rwandan child combatants as trafficking victims. According to the RDRC, every child ex-combatant is a Rwandan born to Rwandans expelled in the 1994 civil war. As the children accompanied their parents, and were raised in DRC and subsequently recruited into the FDLR by their Rwandan fathers, they do not fit the definition of trafficking victims. End note.)

#### Point of Contact

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Pol chief spent approximately 2 hours and Poloff spent approximately 45 hours preparing this report.

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